witnesses in the action brought by arminst Emmet A. Saunders of Bond Ind. and others to recover somable commissions" for the sale minated around the middle of October. the stock of the Mishawaka Woolen Manufacturing Company of Mishawaka. Ind to a syndicate headed by Samuel president of the United States comber Company, was begun vesterday northing before United States Commissomer Gilchrist in the Federal Building. The plaintiffs hope to recover 5 per cent. the price paid for the stock, which is said to have been \$7,000,000. The company was purchased by the syndicate in December, 1985. The action to recover the commissions is brought in the United States Circuit Court for the District of Indiana and an order for the examination

pear vesterday was ex-Mayor Hugh J Grant who died suddenly late on Thursday night. Another, Anthony N. Brady, an intimate personal friend of Mayor Grant, was excused from appearing until this morning

Samuel P. Colt and two or three other witnesses were examined here in the same action last September. At that me Mr Colt gave the names of the members of the syndicate which purchased on the stock as Anthony N. Brady, George markets. F. Baker, E. C. Benedict, John J. Watson. Charles H. Dale, Lester Leland, Harry Perry, W. H. Porter, A. H. Wiggin, the curb market. There has been no John B. Dennis, Harold J. Gross, Nelson Brown William H. Wood, Lee Baron Colt. Samuel Norris, R. F. Barnes, H. L. Hotchkiss. Arthur L. Kelly, C. H. Manchester. A Carberry and Joshua M. Addeman.

About a dozen of these are or have been connected with the United States Rubber which Samuel P. Colt was manager.

It appeared to be Mr. Pickens's purpose concern, which was one of the big com-Some of the witnesses yespated in such a syndicate and that they ater had received certificates of stock Paris check. n the United States Rubber Company for their money. Sheldon Potter of Philaattorneys for the defendants.

ohn B. Dennis, the first witness examined, said that he had had a small It was his impression. He some company. It was his impression that it was the Mishawaka concern. He put in \$50,000, he said. He didn't recall what he had received in the way of certificate or receipt to show for the money. His confidence in Col. Colt was so imcit, he said, that he had not given the

John J. Watton, Jr., for five years ressurer of the United States Rubber company, said that he had discussed with Col. Colt the matter of the purchase of the Mishawaka company, which, he also testified, was one of the largest com-

discussed?" asked Mr. Pickens I don't recall," was the reply. Mr. Watson said that he had no knowledge of how it canfe about that Col. Colt organized the syndicate for the purchase of the

upon whose suggestion the syn-Mr Watson said he did not remember

to a question asking when stock of the United States Rubber Company was put ip as security for the syndicate. as security for the syndicate. but thought it was at about the time of the purchase of the Mishawaka company. He didn't like the idea of "depending on a man's memory" for these things, but said that the purchase price, which he thought was about \$7,000,000, was paid in cash. None of this amount, he said, was

facturing Company.

Mr Watson said that he would consult his attorney before promising to look up his papers to see what certificates he received as his share of the syndicate upon its dissolution. He testified that he now had in his possession the books and ecords of the syndicate, but answered

this morning.

Homer E. Sawyer, a director of the United States Rubber Company, testified that he had been a member of the syndicate to the amount of \$20,000 and that upon the dissolution of the syndicate he had received his pro rata share in United States Rubber Company stock.

The hearing will be continued this

he hearing will be continued this

NO CENTRAL FINANCING. President Brown Makes a Flat Denial of . Wall Street Rumor.

imor had it yesterday afternoon that New York Central was on the point! inging out a large bond issue Presi-W.C. Brown of the New York Cen-gave out the following statement: wither the New York Central nor any me New York Central lines contem-es making any effort to dispose of securities of any kind in the immedi-The Michigan Central notes sold on a basis of 4% per cent to the gan Central. In other words the gan Central secured 50,000,000 francs. is for one year at a net cost to that

Practically every engine and car and by the various roads in the system

stmaster General Hitchcock announced is morning that he had decided to chang e name back from Bentley Manor. A g roar went up from the old folks of tenville when the Post Office Departit decreed that in the future they would living in Bentley Manor. The latter was adopted on the recommenda-of some of the Tottenvilleites who apparently got fired of having the thrown at them in jests. The Post-

GOSSIP OF WALL STREET. The rise in Stock Exchange values which

far was resumed in the market vesterday the prominent stocks at that time rose to in the last hour of business, howto to Show That the United States ever, the market reacted charply, causing of stocks, the first for the week thus far It was again commented upon that the adexamination in New York of a part | vances in a few stocks, notably Steel com Sheep of Philadelphia and entirely disproportionate to the strength that these tissues were also the leaders of

> The selling movement toward the close was started by especial weakness of New York Central, which dropped to 114%. against a price around noon of 117. Central Lines for September Issued a few days ago excited remark even in a period when unfavorable raffroad reports have been all too common, but Wall Street seemed to consider that the extreme weakness of the stock yesterday was due to some other and Indeed at this time a rumor became current that the New York Central was contemplating making efforts to dis- go to Buenos Ayres cannot take it all able weather do not serve to check the growpose of an issue of notes or other securities, aboard. My September shipment, for ing teeling of optimism is meeting of the commission yesterday This story was promptly denied by the president of the system

In connection with his denial that further tine of the witnesses subpænaed to ap- financing in the near inture by the New York Central was contemplated the presiof declaring that the Michigan Central notes just placed were sold on a 4's per cent. In other words the Michigan Central secured its money for one at a net cost to the company of 4's per cent.

> of many houses having out of town branches in the West and South and was said to have restricted business to some extent both belief that there is anything primitive noted in farm produce, especially cereals the Stock Exchange and commolity

Some remark has been occasioned during the last week or so by the quiet strength Converse, Ned Arden Flood, Marsden of Standard Oil and American Tobacco on sational rise in these stocks, but each of W. Aldrich, Hugh J. Grant, H. Martin them has moved steadily upward to the Oil sold yesterday at 620, a net mivance of 20 points since the company a short time ago announced its intention of lowering Nathaniel Myers, Homer E. Sawver, John prices in order to meet foreign competition

The local money market vesterday again exhibited decided strength. The call rate Company as directors or stockholders. May last, and in the time money depart went to 4's per cent, the highest rate since Mr Flood is the man who is said to have ment the short maturities hardened noticeput through the deal for the syndicate of ably. Many people who consider the position of the call money market on Friday Samuel O. Pickens of Indianapolis came as the best possible indication of the charon to conduct the examination. With him was associated Roger Lewis of this city. was associated Roger Lewis of this city. to correspond more closely than it has done recently to the preliminary forecasts to show that the rubber company itself. These estimates as they were made during was the real purchaser of the Mishawaka the day were for a cash loss by the banks petitors of the United States Rubber tone of money at this centre yesterday was reflected by a further decline in sterling terday admitted that they had partici- exchange in spite of higher discount rates hange market was the weakness of the

delphia and A. C. Harris appeared as United States Steel Corporation for 15,000 possible. Last week the Eric Railroad interest in a syndicate that had bought minor orders the aggregate amount of steel orders placed over last week is now said to amount to 25,000 tons. In a steel market like that which has prevailed now for so long orders of this size are natur-Ally made more of than they would be in a period of normal business activity, but if was questioned what proportion these movement in steel rails which has been predicted by steel manufacturers during

during the day was the same as that noted lately. The St. Paul's gross in September during the day was the same as that noted during the day was the day was the same as that noted during the day was the day was the same as that noted during the day was the day was the same as that noted during the day was the day was the same as that noted during the day was the d chase of the Mishawaka as a competitor \$51,713 after an increase in gross of \$386,000, which was not a particularly good showlow operating ratio. Northern Pacific's gross decreased \$071,000, but operating expenses were reduced so that net earnings decreased only \$523,000. As was the case last month, the peculiar feature of the return was the falling off in passen. of the total reduction in gross.

COST OF POSTAL SERVICE. but Last Year's Expenditures Exceed Reccipts by \$5.848,507.

WASHINGTON, Nov. 4 -- Merritt O. Company or by the Rubber Goods Manupartment, has submitted to the Secretary of the Treasury and to the Postmaster-General his annual report for the fiscal year ended June 30, 1910.

Mr. Chance has already reduced the appropriation for salaries in his office by \$55,000 without the dismissal of a clerk or employee. In his report to the Secre-No when asked if he would produce hese at this examination. He would tary of the Treasury Mr. Chance presents to give them up, he said, without an a plan of consolidation which will result tary of the Treasury Mr. Chance presents order from the court.
Later Mr. Lewis secured from Judge
Wardof the Circuit Court a subpena duces
tecum for Mr. Watson to produce these
hooks at the continuation of the hearing

The audited revenues of the postal service for the fiscal year ended June 30. 1910, amounted to \$224,128,657.62, being a 10 per cent. increase over the preceding year More than half of this enormous sum was collected by the postmasters of

six States, as follows: Pennsylvania.

Massachusetts. Approximately 10 per cent, was col-lected at the New York Post Office and s per cent, at Chicago.

During the fiscal year 81,417,629 money orders were issued, amounting to \$647,-736,327,77, as against 72,479,409, amounting to \$567,829,647,11, for the previous year. Over 15 per cent. of all money orders were paid at Chicago and 9 per cent. at New York.

The value of the 3,832,318 international money orders agent approach was \$89,558.

The value of the 3,832,318 international money orders sent abroad was \$89,558,-299.42, while the 3,999,851 incoming international money orders totalled \$0,858,-480.21. The balance of \$79,899,819.15 in favor of foreign countries was settled principally by the purchase and remittance of foreign exchange. Of this immense sum over 74 per cent, was distributed to five countries of Europe as follows:

Montelair's Show of Late Chrysanthe- a manufactured one

ster-General ordered an investigation chrysanthemum show at the Montclair man, who was recently arrested for al-

TRADE DOWN IN ARGENTINA

AN AMERICAN SAYS IT ISN'T HARD TO GET.

Goods Should Be Exhibited Properly and Should Have High Grade Men to Pura Them-Life in Buegos Ayres Attrac-

C. J. Lightner, an American who has been living in Buenos Ayres for seven years and teaching the Argentinians to buy things, said yesterday that as a result of his experience he believed the people there stood ready to give American goods a fair trial provided they were shown properly to them and means existed of sending goods to Buenos Ayres as quickly as they could be got from European countries.

a great increase in the quantity of Ameri- pending elections and rate controversy and is prepared to select the contractors can goods sold in that country," said Mr. Lightner at the Imperial yesterday, and it is a fact that freight is being apparently cause less disturbance and offered in such quantities for that market here in New York that the ships that instance, could not be put on the vessel conspicuously reflected in the iron and steel which was to take it. The fact is that' trade and in the copper market. There is while we have one good line running from New York to Buenos Ayres we have no adequate means of getting goods into that field. We ought to have first class American ships running down there. During all the time I have been in South America I have never seen an American flag floating from a merchantman in

"Anybody who talks about Argentina doesn't want to fool himself into the to take a stage to any place. The stree: car service of Buenos Ayres, however is rather poor, but one reason for that is that it is in the hands of the Germans. who insist upon using tiny cars, so that if you want to ride anywhere on a street. can you are prevented by the completo

'At present the United States is getting 85 per cent of the agricultural machinecy business of the country, and there is no reason why we should not have the other 15 per cent. Our metal and bardware trades claim of late to be getting in down there in spite of the Germans, who have for years had the complete control of that business. The French have the notion hesiness. The French have nost of the trade. The English control most of the trade. hanking business. The Italian popula-tion is the strongest foreign element and it is a high class element. A lot of credit is due Minister Shernii for better The Italian popula-

The cost of living in Buenos Avres tigures out almost three times what it is here. It's not like it is here, where you can live some way or other, for what pocket permits. They don't have habitable, but expensive for what you get. In the best hotels prices are very little higher than in hotels of a similar

"There is a great deal of building going on in Buenos Avres now, and a lot of the more important part of, it is in the hands of an American, a young man who has been down there about fifteen years. He is putting up the largest and finest buildings that are being constructed there, one of them being a milroad office build-ing, part of which will be ten or twelve stories high and equipped with American ators and heating apparatus

elevators and heating apparatis.

"We have what is called the North American Society of the River Platte in Buenos Ayres, which is about 200 strong, and consists entirely of American citizens. We have Fourth of July banquets and aim to assist the American

Minister in whatever way is possible.

I think many American firms have failed to get South American trade in the "I think many American frims have failed to get South American trade in the past through not sending the right sort of men to represent them down there, just as in many cases the United States Government so often sends out the wrong type of, man to represent it in diplomitic service. Nowadays exporters are learning to send a better grade of men. learning to send a better grade of men down there to sell goods for them, and to-day I believe the American salesman who is selling in South America is one of a higher standard than represents

N. Y. CENTRAL'S LEASED LINE.

Up-State P. S. Board Authorizes Modification of Lease of Dunkirk Road.

ALBANY, Nov. 4. The up State Public Central and Hudson River Railroad Comthe former line to the New York Central Under the modified lease the New York Central agrees to pay its rental from and after August 1, 1910, in addition to be per cent, per annum on \$1,300,000 of the stock, the interest upon such bonds as New York Central be issued by other company to refund its bonded in-debtedness and for other corporate pur-

The commission has also authorized the Dunkirk, Allegheny Valley and Pitts-burg Company to execute and issue a mortgage on its property and franchises to secure its 4½ per cent. fifty year first mortgage bonds to an amount not ex-ceeding \$5,000,000. The company is authorized at the present time to issue bonds at par to the amount of \$2,900,000.

JUDGE MULQUEEN REBUKED. Appellate Division Frees a Man Tried Be-

fore Him for Stealing.

In reversing the conviction before General Sessions Judge Joseph F. Mulguegn of a man indicted for stealing a ficiaries in the settlement of estates. queen of a man indicted for stealing a horse and wagon the Appellate Division of the Supreme Court said yesterday that the court would "have no hesitation in affirming the judgment were it not for what we consider improper conduct on the part of the trial Justice."

The opinion, written by Justice Miller.

The opinion, written by Justice Miller, with all the Judges concurring, says: The Court frequently throughout the trial interrupted the examination of witnesses purpose of disparaging the defendant and his witnesses and discrediting the defence. One example will suffice. A witness for the defendant had stated that he the witto be engaged in business, whereupon the was the business buying stolen horses? a similar tendency show that the case was prejudged by the Court, and in all likelithat prejudgment. The defendant was entitled to have the question of his guilt passed upon by the jury; but they were not likely to give that question much inde-pendent consideration after having been told by all sorts of suggestive questions that in the opinion of the Court fendant was a horse thief and his defence

Montclair, N. J., Nov. 4. The Montclair clair Garden Society will hold its annual chrysanthemum show at the Montclair club to-morrow afternoon. The sowe post office inspectors to determine club to-morrow afternoon. The so-leged illegal registration from a Hoyt reported that the preference was dedly for Tottenville. Mr. Hitchcock accordingly issued an order restoring name.

THE BUSINESS OUTLOOK. Cheerful Point of View Observed. but Little Change Noted.

Dun's has this to say on trade conditions Whatever change there is is chiefly in the point of view. It is the characteristic feature of the situation that whereas a few weeks ago business sentiment put special look and the possible dangers involved aspects. Yet so far as actual developments

concerned there is very little change

and the volume of actual transactions con-

tinues below productive capacity. Bank clearings in October showed an increase of only 1.4 per cent, over the cor-York, while the decrease of 21.4 per cent. the United States 13.1 per cent. During

of 16 1 per cent. abroad, still influence the markets they anxiety than before, and a more cheerful granted for a close scrutiny of the conview is generally taken of the outlook, tracts. while the labor troubles and the unseasonendoubtedly an increased world consump tion of copper. The dry goods market likewise displays the effects of a better outlook and the retail trade is more active

Bradstreet + says Colder, more seasonable neather, stimu lating to retail and jobbing reorder trade tinemare of the declining tendency about that country. I have never had shell feed producing animals, at wholesale comer money rates, with reports of un infarmers to bond crops, and the pushing of the ariling trust line further to the southward, thus terminating the growth of in it wide area, are among the leading

TRUSTEE ACCUSES KEENE.

living L. Ernst, one of the trustees bankruptcy for the defunct Stock firm and of Lathrop. Haskins & Co consideration will be given to them against the Mechanics and Metals commission, it was learned ye-terday Bank to recover some \$750,000 in seorities alleged to have been taken from Mr Ernst, the chief, witness, told in detail what he had found as assets after he had taken charge of J. M. Fiske & Co.'s affairs. Adrian H. Larkin, attorney for the Mechanics and Metals National Bank, then asked the witness what he had done toward recovering the lower had done toward recovering the losses alleged to have been sustained under the pool agreement. Mr. Ernst said that the trustees in bankruptcy had begun suits against James R. Keene and Bert Levy. He added that he had a copy of the pool agreement. The suit against Levy was to recover \$40,000 he said. of the pool agreement The suit against Levy was to recover \$40,000, he said. Levy was to recover \$40,000, he said, while that against Keene was for an accounting, no amount being specified "I think Mr Keene violated his duty as syndicate manager." Mr. Ernet testified, by individually trading in the stock of the Hocking Coal and Iron Company to his own profit and in violation of the

The referee would not allow Mr. Ernst to testify regarding what he thought the amount of this damage was.

STATE MAKES THE CITY PAY UP. and will send those awards to the Board Chamberlain Is Ordered to Turn Over

\$240,000 More. signed an order directing the City Cham-Service Commission has authorized the berlain to pay over to the State of New Dunkirk, Allegheny Valley and Pittsburg York \$240,403 which has come into the Chance, auditor for the Post Office De- Railroad Comany and the New York City Chamberlain's hands from various sources previous to 1890. The money is pany to modify the terms of a lease of to be paid in two instalments. A check has already been drawn for the first payment of \$93,365, and the balance.

payment of \$93,365, and the balance.
\$147,038, is to be paid before December 20. The money is to be paid under the law of 1890 requiring the City Chamberlain to pay over to the State the court funds that have remained undisbursed in his office for over twenty years. Proceedings to collect this money have been instituted by the various Attorney-Generals since 1991 and the largest sum paid before Atterney-General O'Malley took office was \$93,069. The City Chamberlain in office when that money was paid held that nothing more was due the city, but subsequent proceedings, participated in by City Chamberlain Hyde, ex-Corporation. Counsel Pendleton and Attorney-General O'Malley, resulted in enforcing the State's claim to the additional \$240,465.

This mopey is made up of sums due to heirs of estates who have disappeared, to women who never put in their claims to dower right, of moneys due the shareholders of dissolved corporations, to creditors in bankruptcy proceedings, to mortgagees in condemnation proceedings and to infants or unknown beneficiaries in the settlement of estates.

| Sau Toda State Sub Claw read the lower court. In the case on appeal A. Lawrence Kerker sued Charles S. Levy and his wife. Bertha Levy, who live at 830 East 163d street. Levy runs a clothing store in The Bronx. Kerker held a judgment for \$11,000 arising out of a deficiency on a mortgage foreclosure. A month before the street of a deficiency on a mortgage foreclosure. A month before the street of a deficiency on a mortgage foreclosure. A month before the street of a deficiency on a mortgage foreclosure. A month before the street of a deficiency on a mortgage foreclosure. A month before the street of a deficiency on a mortgage foreclosure. A month before the transferred real estate worth \$20,000 to the transferred his clothing business of the transferred his clothing business to his mother because the property to Bertha Goldberg to induce her to marry him. He gave his clothing business to his mother because the owed her money, he said. He de

Beath Stops Election Campaigning. TORANGE, N. J., Nov. 4.—Out of respect for Mayor Arthur B. Seymour and the memory of his father. John Seymour, who died suddenly last night, all campaigning by the Republican opponents of the Mayor, who is seeking reelection, has been called off.

Business Troubles.

A petition in bankruptcy has been filed against Benjamin Nathanson, manufacurer of sweaters and bathing suits at 1554 Third avenue. Judge Holt appointed Alfred H Townley receiver, bond \$6,000 Liapilities are \$50,000 and assets not over \$12,000. He has been in business four years.

A petition in bankruptcy has been filed against the Daisy Shirt Company, manufacturer of shirts at 513 Broadway, by the Bear Mill Manufacturing Company, a the Bear Mill Manufacturing Company, a creditor for \$600. The company was incorporated on August 2, 1907, with capital stock of \$8,000, which was increased to \$25,000 in January last. At the start the company had its manufacturing plant at Ephrata, Pa., but that was disposed of in August 1909, and the manufacturing has since been done in this city. Liabilities are \$25,000 and assets \$6,000. Judge Holt appointed Morton 1. Fearey receiver, bond \$5,000.

A petition in bankruptcy has been filed against Jacob Klein and Isage J. Ragovin, manufacturiers of cloaks at 43 East Eighth afreet. Liabilities are \$1,000 and assets \$1,000.

P. S. COMMISSION NOT LIKELY TO GIVE HEED TO THEM. Plan is to Listen to Them and Then Award

Contracts and Make Board of Eatl-

mate Responsible for More Belay

Present Project to Go Through

LATE DAY SUBWAY PROTESTS

The Public Service Commission for nearly two years has been preparing to let the contracts for building the new triborough subway and now that it is ready to do so the board is being asked esponding month last year outside of New by several civic organizations of the city to delay the matter. For more than a year the commission has been holding public hearings on the new route with a view to working out a scheme that would Reports from the leading trade centres have general approval. The tabulation are encouraging in nature, and though the of the bids has been made and the board the insettled money situation, particularly but the members are being appealed to to wait until further opportunity has been

> of those making such a request. At a a letter was read from E. H. Outerbridge. chairman of the special committee on rapid transit of the Chamber of Comnerce, asking for delay, which said:

We feel that it is only in consonance with the suggestions of Mayor Gaynor that the public should have full opportunity to consider and digest each step arrent distribution at many cities about in any proposed plans which have such at to last year at this date, fairly good a vast power to influence the future of the usings by the isual monthly exhibits of city. We fee! that a new situation has failure, and clearings for October, a con- now been created in that after it has developed that no bids for construction. equipment and operation are obtainable by private capital or otherwise the sole question is whether the city shall construct at its own expense without any posibility of estimating upon what terms contracts for equipment and operation may be obtained until after completion and the investment of such huge sums

on a question of such vast magnitude and

importance Another of the bodies which has made Exchange firm of J.M. Fiske & Co., yester- a similar request is the Merchants Asso-day charged James R Keene with betray- diation. In a letter signed by Henry R. ing the interests of the Columbus and lowne, the president of the association, Hocking pool. Mr. Ernst's charge was until a joint public hearing could be held made under oath while he was a witness by the Board of Estimate and the Public

firm and of Lathrop. Haskins & Co ing next week, but it is not likely that any National Bank and the National City prepared to make its awards and intends to do so without paying need to the be-lated appeals which are coming in after the offices of the firm a short time pleted and the commission is ready to bebefore they collapsed. The plaintiffs gin the construction of the tunnel. From allege that the banks took these securities after they had learned the firm mission will take the stand at its meeting mission will take the stand at its meeting the standard to the conthings as family boarding houses ties after they had learned the firm mission will take the stand at its meeting things as family boarding houses ties after they had learned the firm mission will take the stand at its meeting

> there is in the Board of Estimate will consent to any postponement of the be-ginning of the new subway. While it is ginning of the new subway well known that Mayor Gaynor is not in favor of a dual subway system because it might work a hardship on passengers desirous of transferring from one line to another, it is believed that if the major-ity of his colleagues announce their pur-pose to vote for the triborough subway to will not oppose his individual orinion. he will not oppose his individual opinion

while none of the commissioners worked allow himself to make open comment yesterday on the situation which has arisen, one of them said.

"It seems a little peculiar, doesn't it, that these demands for delay should be deluging us at this moment, when we are ready to let the contracts. We have fre-quently been criticised for not making sufficient haste in completing plans for a new tunnel, and now when we have reached the stage where construction can be begun in a month or two there

The situation which has sprung up in The hearing was adjourned until 10 a day, as it were, will have no o'clock on the morning of November 10. the action of the commission. We will award the contracts to the lowest bidders of Estimate

MUST SHOW WIFE KNEW FRAUD. Supreme Court Justice McCall has Transfer of Property Allowable if the Transferee Had No Guilty Knowledge.

A prospective husband may transfer all his property to his prospective wife for the purpose of defrauding his creditors, and the creditors cannot recover from her unless she had knowledge of the fraud, under a ruling of the Appellate Division of the Supreme Court yesterday

In giving judgment for the Justice Erlanger said:

The condition in which he [Levy] thus placed himself was to leave himself judg-ment proof with title in his wife and mother ment proof at all favorably impressed Esperanza. placed himself was to leave himself judg-ment proof with title in his wife and mother. The Court is not at all favorably impressed with the story now advanced by the de-fendants that all these transfers were necessary before a marriage could take place. There is no such difference in their age or social standing that should have led the defendant, Charles S. Levy, to consent to pauperize himself upon the altar Mohawk. tion for him is it at all reasonable that she should demand his all as a condition to con-

senting to become his wife? In reversing Justice Erlanger's decision the Appellate Division, with JusticeMil-ler writing the opinion, says that the Court does not wish to be understood as holding such a transfer might not be adjudged fraudulent upon proof that the transferer had transferer had creditors who were being defrauded creditors who were being defrauded thereby. In this case, Justice Miller says, there is no proof that Mrs. Levy knew anything about the deficiency judgment, and she couldn't presume that he had any creditors without having any knowledge of the fact.

Justice Miller says it is clear that Levy transferred his property with fraudy.

transferred his property with fraudu-lent intent. He orders a new trial, and the plaintiff will then have a chance to prove if he can that Mrs. Levy was a party to

Judge Dike Doing Well.

Judge Norman S. Dike of the County
Court in Brooklyn, who was operated on for appendicitis at the Long Island College Hospital on Thursday afternoon, was yesterday reported to be doing well.

The Wall Street edition of The Evening Sun Cottains all the financial news and the stock and movel of the wrong is hatham," at the entrance closing quotations, including the "bid and asked to St. Johns River, Flevida, will be feeded at the closing quotations, including the "bid and asked to St. Johns River, Flevida, will be feeded to the closing quotations, including the "bid and asked to St. Johns River, Flevida, will be feeded to the closing quotations, including the "bid and asked to St. Johns River, Flevida, will be feeded at the closing quotations, including the "bid and asked to St. Johns River, Flevida, will be feeded at the closing quotations, including the "bid and asked to St. Johns River, Flevida, will be feeded at the closing quotations, including the "bid and asked to St. Johns River, Flevida, will be feeded at the closing quotations, including the "bid and asked to St. Johns River, Flevida, will be feeded at the closing quotations, including the "bid and asked to St. Johns River, Flevida, will be feeded at the closing quotations, including the "bid and asked to St. Johns River, Flevida, will be feeded to St. Johns Rive East Thirty-lifth street, has filed a voluntary petition in backruptey, with liabilities of \$8.051 and assets \$8.55. The company was incorporated in May, 1907, with a capital stock of \$250,000 and William H. Kellock is was yesterday reported to be doing well.

Chartered 1822

Trustee

The Farmers' Loan and Trust Company,

Nos. 16, 18, 20 & 22 William Street. Branch Office, 475 Fifth Avenue, New York.

LONDON 18 Cockspur St. 18 Bishopegate St. Within. PARIS 41 Boulevard Haussmann Travelers' Letters of Oredit. Foreign Exchange.

Administrator

Guardian

We beg to announce that our Branch Offices at

THE ST. DENIS HOTEL BROADWAY STREET THE HOFFMAN HOUSE BROADWAY STREET. THE KNICKERBOCKER HOTEL BROADWAY AND 42nd STREET.

Will be open Election Day and Night.

MILLER & COMPANY

Members N. Y. Stock Exchange,

29 BROADWAY, N. Y.

RUTLAND RAILROAD COMPANY.

To the Holders of Preferred and Common Stocks

The undersigned are and have been for many years stockholders of the Company "We would point out that no criticism could possibly be made of your commission for acting in a very deliberate manner.

"We would point out that no criticism could possibly be made of your commission for acting in a very deliberate manner."

"We would point out that no criticism could possibly be made of your commission for acting in a very deliberate manner."

"We would point out that no criticism could possibly be made of your commission for acting in a very deliberate manner."

"As the result of many months of patient investigated have in their own behalf, and at the request of other stockholders, decided to stockholders." act as a Committee to safeguard and promote the interests of stockholders.

The Committee is about to prosecute suits for the benefit of all depositing stockholders against certain of the former Directors of the Company to recover moneys claimed to have been lost or wasted and unlawful profits claimed to have been received in connection with sales of railroad properties to

tion of your rights in the traffic arrangements between the two companies and in the distribution of

Your co operation is invited by the deposit of your certificates of stock, endorsed in bland in the hearing before Referee Charles

F. Brown of the suit brought jointly by
the trustees in bankruptcy of the Fiske

These requests will be considered by
the commission at its usual board meeting next week, but it is not likely that any the COLUMBIA TRUST COMPANY, NO. 135 BROADWAY, NEW YORK CITY, NOT LATER

TOMPKINS C DELAVAN. BALPH L. SHAINWALD.

WM. C. TAYLOR, Secretary, 37 Wall St., N. Y. City.

NOTICE.
To the Holders of Atlantic Shore Line Railway Four Per Cent. Refunding Bonds.
Dated April 2d. 1906:
The Committee, acting in behalf of the holders of said four per cent. Refunding Bonds of said Atlantic Shore Line Railway, the second mortgage six per cent. Bonds of said Railway datasi October 29th. 1909, and of the first preferred stock holders. For the purpose of reorganizing said Hailroad Company, hereby gives notice that the time within which all holders of either class of said bonds, or of said preferred stock, in order to participate in the plan of reorganization agreed upon by said Committee, must deposit such honds or preferred stock with one of the depositaries hereinafter named, has been extended to November 21st. A. D. 1910. All bonds not so deposited on or before such date will take their proparate share of the proceeds of the sale of the property ordered by the Court at public auction on the first lay of December. A. D. 1910.

The Kniekerbocker Trust Company of New York City and the Fidelity Trust Company of Portland, Maine, are the depositaries to receive such bonds and preferred stock and issue receipts for the same to the holders thereof, HEORGANIZATION COMMITTEE.

By JOHN F. BILL.

ERNEND J. EDDY.

WM. BINNNY, JR.

JAMES H. CALDWELL.

ERNEND J. EDDY.

WM. BINNNY, JR.

JAMES H. CALDWELL.

ERRED O. CONANT.

E. BURTON HART.

ALBERT H. BUCKMORE.

FRANCIS HENDERSON.

SAMUEL UNTERMYER, Counsel.

MARINE INTELLIGENCE.

Sun rises. 6:29 Sun sets. 4:20 Moon sets.

Arrived-PRIDAT, November Koenigin Luise, Gibraitar, Oct. 25, Tonawanda, Liverpool, Oct. 20, Bardistan, Barry, Oct. 17, Tintorette, Barbados, Oct. 23, Berwindmoor, Calais, Oct. 23, Se Tintorette, Barbados, Oct. 2A.
Se Berwindmoor, Calais, Oct. 23.
Se Zacapa, Kingston, Oct. 30.
Se Paloma, Cardenas, Oct. 21.
Se Chippewa, New Strieans, Oct. 28.
Se Vasari, Baroados, Oct. 29.
Se Cimal, Ney West, Oct. 20.
Se Algonquin, Brunswick, Nov. 1.
Se Princess Anne, Newport News, Nov. St Delaware, Philadelphia, Nov. 3.
Se Honduras, Puerto Mexico, Oct. 12.

Ss President Grant, from New York at Ply mouth SAILED FROM PORFIGN PORTS.

ss Kronprinzessin Cecilie, from Cherbourg for

Para 12 or M Para 12 or M Prince Rio Janeiro 12 or M Parambuco 2 or P

El Paso....

Due To day. Middlesbrough Middlesbrougi
Cardenas
Palevmo
Havana
Vera Cruz
Turks Island
New Orleans.
London
Southampton
Havre
Tampico
Cristobal
Savannab

La Gascogne.

Due Monday. November 7.

Coamo.

Duea degli Abruzzi.

Marzacalbo

Noordam.

Pairfeia.

Prinz Friedrich Withelm Bremen

Sa Patricia, for New York, was 500 miles east Sandy Hook at 5 A. M. yesterday Sa La Gascogne, for New York, was 200 miles

Stockholders' Committee NOTICE TO HOLDERS

NIAGARA, LOCKPORT & ONTARIO POWER COMPANY
First Mortgage 27: 50 Year Gold Bonds, New York, November 3, 1910.
The Standard Trust Company of New York as Trustee under Supplemental Mortgage and Deed. he Standard Trust Company of New York as side under Supplemental Mortgage and Deed Frust of February 28, 1908, seguring the 3-side Tret Million Deflars (\$5,000,000 First Mortgage Sid Year Gold Bends of the Nagara, Leghport Jutarlo Power Company, hereby invites product for the said of as many honds of the Issue are described as can be nurshased for the sun \$1,817 80 now in the sinking fund, under said stgage and deed of trust. Sealed unpossis the received at the office of his Company, No. Broad Street, New York City up to 10 octock M. Saturday, November 28, 1910, when the same A M Saturday November 28, 1910, when the same will be opened and bonds offered All the powers price (not exceeding 120 and accrued intensit to the extent necessary to exhaust wild some All bonds accepted will be paid for uson delivery, with intensit accupied will be paid for uson delivery. With intensit accupied to November 28, 1940s.

THE STANDARD TRUST COMPAN OF NEW

EXTRAORDINARY REDEMPTION URBAN RAILWAY CO. of LIMA

\$1000 GOLD BONDS

Notice is hereby given that pursuant to the terms of article fourth, section one, of the mortgage allouistanding ist mortgage flooris of above company will be referred on the lat of January, 1911. Bonds with coupen sheets attached should be presented at the offices of the undersigned. uc January 23 Broad St. N. Y. I Hanover Sc., N. Y.

CINCINNATI, INDIANAPOLIS, ST LOUIS
A CHICAGO RAILWAY COMPANY.
General First Marriange 4° Bonds.
DATED AUGUST 20, 1888.
The Central Trust Company of New York, Trustee, gives notice that it will receive sealed proposals to sell the above describe, bonds at a rate not to exceed 107°, and accrued faterest, the total offer not to consume more than the summared powenty two thousand five hundred dollars \$72,500. Scaled proposals will be opened at the office of the Central Trust Company of New York, in New York City, at twelve o clock node on the 5th day of November 1810.
CENTRAL TRUST COMPANY OF NEW YORK.

TRUSTEE.
By J. N. WALLACE, President.

DIVIDENDS AND INTEREST

Banco Territorial y Agricola de Puerto Rico. Coupon No. 23 of the 6th issue Mortgage Bonds of the above Bank, due Oct 21st, 1910, will be naid upon presentation at the office of THE NATIONAL, PARK BANK OF NEW YORK, 214 EROADWAY

THOM PSON-STARRETT COMPANY

The Board of Directors of this Company has declared the regular Semi Annual Dividend of four 17th per cent on its Preferred Stock, payable November 15th, 1910, to stockholders of record at close of business November 19th, 1950.

CHARLES B. FOND, Treasurer. PEOPLES GAS LIGHT AND COKE COM-PANY (of Chicago).

Notice is hereby given that a dividend of ONE
AND THREE-QUARTERS PER CENT. (1948)
has been declared on the capital atom of this
Company, payable of November 25th, 1910, to the
stockheiders of record as the plose of humbers on
November 3rd, 1910.

L. A. WILEY, Secretary.

L. A. WILEY, Secretary. GENERAL CHEWICAL COMPANY,
25 Broad Street, New York, October 21,11910,
A dividend of one and one quarter (15°5) per
cent, has been declared on the Common stock of
this Company, payable December 1st, 1916, to
stockholders of record at noon, November 1sth,
1910.

JAMES L. MORGAN, Treasurer.

PUBLIC NOTICES.

International Agricultural Corporation.

145 Broadway, New York City.

Notice is hereby given that Certificate A 135, dated July 12, 1909, representing ten shares of the preferred capital atock of tails corporation, issued in the name of M. F. Windsor, is claimed to have been lost or destroyed, and that application has been made by said M. F. Windsor for the lesuance of a new certificate. All persons claiming any inferest under said Certificate A-138 are hereby notified to present their claims immediately to the undersigned at the above address.

J. R. FLOYD. Assistant Treasurer. J. P. FLOYD, Assistant Treasurer

OFFICE OF THE COMMISSIONERS. District

OFFICE OF THE COMMISSIONERS, District of Columbia, October 51, 1910. Sealed proposals will be received at this office until 2 o clock: P. M. November 12, 1910, for THE FURNISHING AND ERECTING OF A COMPLETE ELECTRIC LIGHTING PLANT FOR THE TEMPORARY BUILDINGS OF THE WORKHOUSE LOCATED AT OCCOQUAN, FAIRFAX COUNTY, VIRGINIA Specifications and form of proposal may be obtained at the office of the Chick Clerk, Engineer Department Room 427 District Building. CUND H. HUDOLPH, JOHN A. JOHNSTON WILLIAM V. JUNION. Commissioners.

of Sandy Hook at 5.4 M. vesterday

Ss La Gascogne, for New York, was 900 miles
east of Sandy Hook at 5.13 A. M.

Sa Columbia, for New York, was in communication with Nable Island at 8.23 A. M.

Ss Duca degli Abruzzi, for New York, was 950
miles cast of Sandy Hook at 10.30 A. M.

Sa Neckar, for New York, was 185 miles east of Sable Island at 6. M.

Sa Cedric, for New York, was 200 miles east of Sandy Hook at 6.30 A. M.

Ss La Savoie, for New York, was 210 miles east of Sandy Hook at 2. P. M.

Ss St. Paul, for New York, was 210 miles east of Sandy Hook at 2. P.

Ss St. Paul, for New York, was 210 miles east of Sandy Hook at 2. P.

Ss St. Paul, for New York, was abeam of Nan Ss St. Paul, for New York, was abeam of Nan Ss St. Paul, for New York, was abeam of Nan Ss St. Paul, for New York, was abeam of Nan Ss Minnehaha due at Sandy Hook 1. P. M. to day.

Ss Minnehaha due at Sandy Hook 1. P. M. to day.